

Members

Sen. Thomas Wyss, Chairperson  
Sen. Allen Paul  
Sen. David Ford  
Sen. Glenn Howard  
Sen. Mark Blade  
Sen. Timothy Lanane  
Rep. Win Moses, Vice-Chairperson  
Rep. David Crooks  
Rep. Jonathan Weinzapfel  
Rep. Dean Mock  
Rep. Michael Smith  
Rep. Eric Turner



## INTERIM STUDY COMMITTEE ON PUBLIC SAFETY ISSUES

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Authority: Legislative Council Resolution 00-1  
(Adopted May 25, 2000)

### MEETING MINUTES<sup>1</sup>

Meeting Date: October 5, 2000  
Meeting Time: 10:00 A.M.  
Meeting Place: State House, 200 W. Washington  
St., Room 233  
Meeting City: Indianapolis, Indiana  
Meeting Number: 5

**Members Present:** Sen. Thomas Wyss, Chairperson; Sen. David Ford; Sen. Glenn Howard; Sen. Mark Blade; Rep. David Crooks; Rep. Jonathan Weinzapfel; Rep. Dean Mock; Rep. Michael Smith; Rep. Eric Turner.

**Members Absent:** Sen. Allen Paul; Rep. Win Moses, Vice-Chairperson; Sen. Timothy Lanane.

Chairperson Senator Thomas Wyss called the meeting to order at 10:15 a.m. He introduced the members of the Committee and the two Legislative Services staff members in attendance. He announced that this was the fifth and final meeting of the Committee, and that he had invited representatives from several agencies to be in attendance today.

Chairperson Wyss introduced Sheriff Jim Herman and Captain Greg Roth, of Allen County. Their department has used directional indicators on their patrol cars since 1991, with much satisfaction. The directional indicators can be attached on the top of the vehicle, or can be placed in the back window trough. The department is pleased because no

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

officers have been hit by passing vehicles since the devices have been installed. In answer to a question from Representative M. Smith, Sheriff Herman stated that the light bars cost about \$200 and the controller in the vehicle is about \$250. In response to a question from Representative Mock, Sheriff Herman said that the Allen County Sheriff's Department was at the forefront in using vector light bars. A discussion then ensued regarding direction of traffic by these devices. Senator Howard stated that he was in favor of the devices, but because of the cost, did not want to see them mandated. Captain Roth stated that they are now in use by the Indiana Department of Transportation for vehicles that are doing road repairs.

Lieutenant Rex Farrell, Field Enforcement Division of the Indiana State Police, agreed with Sheriff Herman as to the usefulness of these devices. He stated that cost would be a problem if there was a mandate for use by the 1,000 trooper vehicles.

Colonel Larry Allen, Law Enforcement Division of the Division Of Natural Resources, stated that it was doubtful that these devices would be useful to his force, in that his officers rarely do traffic stops. They do not use light bars because they would be broken off by overhanging vegetation, but these devices could go in the back window.

Mike Eslinger of the Indiana Sheriff's Association said that he doubted that any of his members would not be in favor of these bars, but would like to add them in as new light bars were ordered. He stated that there is a Uniform Vehicle Marking Committee among the Sheriff's Association membership.

A discussion ensued concerning mandatory equipment for emergency vehicles. Senator Wyss wondered if the requirements of IC 9-19-14-5 are being followed by all police departments. He asked Les Miller of the Indiana State Police to look into this. Tom Fruechtenicht, representing the Indiana Sheriff's Association, recollected as a former legislator that legislation passed about twenty years ago to have blue lights required in addition to red lights. Senator Wyss stated that he did not believe the Committee was prepared to offer any potential legislation on the subject of traffic control indicators on police cars.

Andrea Marshall, Executive Director of Prevent Child Abuse Indiana, spoke in regards to Preliminary Draft 3320 concerning child fatality review teams (Exhibit A). She reminded the Committee that the 40% rise in child fatalities in the state in 1997-98 prompted the Family and Social Services Administration to provide for a grant to convene a task force on this issue. She pointed out that the draft provides for a county or regional local task force as some counties have no need for a continuing task force. She stated that the draft addresses the issues of the open door exception for members of the task force, and qualified immunity for its members. Senator Ford questioned why another layer of law on this issues was needed and noted that there are already 4 to 5 laws regarding related subjects. He felt the issue of unexplained or unexpected deaths of any person, not just that of children, was a statutory duty for the coroner. Representative Crooks suggested that perhaps the coroners could meet several times a year, bringing with them child death cases that fell in these categories, to discuss the cases. Robert Sembroski, Deputy Prosecutor of the Fifth Judicial Circuit, stated that most prosecutor's offices have a death investigation protocol, but this process is designed for instances when there is no issue of criminal action.

Representative Turner instructed counsel for the Committee to follow up with Dr. Lee Craig who made a presentation during the third meeting of the Committee regarding the economic impact of the fireworks industry. Dr. Craig had agreed to furnish the Committee with a final report, which has not yet been received.

The Committee considered the draft of the Interim Study Committee on Public Safety Final Report. The Committee made no Findings of Fact. The Committee made no recommendation on the subject of the fireworks industry in Indiana, as there is a case pending in the Indiana Appellate Court. The Court may uphold the current law. The Committee made no recommendation as to the issue of traffic control indicators on police cars. After discussion, Senator Wyss moved that the Committee endorse the concept of Child Fatality Review teams but that the Committee not endorse the language nor the conditions set forth in PD 3320. Representative Weinzapfel seconded the motion. Senators Wyss and Blade, and Representatives M. Smith, Crooks, Mock, Turner, and Weinzapfel voted aye; Senators Howard and Ford voted no. Senator Wyss moved, and Representative Mock seconded, that the Committee recommend that if no legislation on the subject of Child Fatality Review Teams passes in 2001 session, that this topic be studied once again by an interim committee. The motion passed by affirmation of the Committee. The Committee made no recommendation as to the issue of uninsured motorists and uninsured motorists insurance.

Susan Montgomery, counsel for the Committee, informed the Committee that the summary of testimony for the fifth meeting would be prepared for the Final Report, and that the Witness List would be updated with name of witnesses from the fifth meeting. Senator Ford made a motion to accept the Final Report, and Representative Weinzapfel seconded the motion. The motion passed by affirmation, with Senators Wyss, Ford, and Blade in favor, and Representatives Weinzapfel, Mock, Crooks, and M. Smith also in favor.

There being no more business before the Committee, the meeting was adjourned at 12:20 p.m.